



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:

Elementis Chromium, Inc.,
f/k/a Elementis Chromium, L.P.,

Respondent.

Docket No. TSCA-HQ-2010-5022

**ORDER GRANTING UNOPPOSED MOTION
TO SUPPLEMENT COMPLAINANT'S PREHEARING EXCHANGE**

The hearing in this matter is scheduled to begin on Monday, December 12, 2011. On December 1, 2011, a prehearing conference was held between staff of the undersigned, counsel for Complainant and counsel for Respondent. On December 6, 2011, Complainant filed an Unopposed Motion to Supplement Complainant's Prehearing Exchange ("Motion"), wherein it seeks to supplement its Prehearing Exchange with the addition of Complainant's Exhibits 101 through 104, and a revised copy of Complainant's Exhibit 98.

Complainant's Exhibit 101 is the resume of Mr. Tony Ellis, Complainant's penalty witness. Complainant's Exhibits 102, 103, and 104 are copies of penalty policies upon which Complainant relied in consideration of the proposed penalty assessment. Complainant's revised Exhibit 98 has been adjusted to fix an inaccuracy, the Motion provides. In the Motion, Complainant states that prior to filing the Motion, counsel for Complainant contacted counsel for Respondent, who indicated that Respondent does not oppose the Motion.

Complainant's Unopposed Motion to Supplement Complainant's Prehearing Exchange is **GRANTED**.

A handwritten signature in blue ink, appearing to read "S. Biro", written over a horizontal line.

Susan L. Biro
Chief Administrative Law Judge

Date: December 6, 2011
Washington, D.C.

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Unopposed Motion To Supplement Complainant's Prehearing Order**, dated December 6, 2011 following manner to the addresses listed below.



Sybil Anderson
Headquarters Hearing Clerk

Dated: **December 6, 2011**

Copy By Regular Mail And Email to

Mark A.R. Chalfant, Esquire
Waste & Chemical Enforcement Div.
Office of Civil Enforcement
U.S. EPA
Mail Stop 2249A
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Erin Saylor, Esquire
U.S. EPA
Mail Stop 2249A
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

John J. McAleese, III, Esquire
Ronald J. Tenpas
William S. Pufko
Morgan Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103